



# United States Marshals Service POLICY DIRECTIVES

## TACTICAL OPERATIONS

### 17.11 SPECIAL DEPUTATION PROGRAM

- A. **Proponent:** Tactical Operations Division (TOD), Special Deputations Branch (SDB).
- B. **Purpose:** This policy directive establishes the policy and procedures concerning the Special Deputation Program (SDP) for the United States Marshals Service (USMS).
- C. **Authority:** The authority of the USMS to supervise and administer the SDP is contained in 28 USC 566(c), 561(a), 561(f), 509, 510; 28 CFR, 0.111, 0.112, and 0.113.
- D. **Policy:**
  - 1. Special Deputations by the USMS are authorized based upon the needs of the USMS or other agencies that can demonstrate a requirement to enforce federal law or carry a concealed weapon.
  - 2. Special Deputations are not limited to the district of origin and are valid wherever the United States has law enforcement powers. A Special Deputation may carry restrictions that limit authority to certain duty hours, a specific investigation, a designated location, personal protection, etc. Limits may also include conditions or restrictions for carrying concealed weapons.
  - 3. The USMS can depose federal, state, local, or tribal law enforcement officers to enforce Title 18 criminal offenses only. Special Deputies are not authorized to participate in federal drug investigations (Title 21) unless they are also deputized by the Drug Enforcement Administration or the Federal Bureau of Investigation.
  - 4. Deputized individuals have Title 18 authority, as stipulated on Form USM-3B, *Special Deputation Oath of Office, Authorization, and Appointment*, to perform any of the following federal law enforcement functions:
    - a. Seek and execute arrest warrants and search warrants;
    - b. Make arrests without a warrant if there are reasonable grounds to believe that the suspect has violated or is violating federal law;
    - c. Serve subpoenas and other legal writs;
    - d. Monitor Title III Intercepts (electronic surveillance); and
    - e. Carry firearms for personal protection or the protection of those covered under the federal assault statutes.
  - 5. **Special Deputation Eligibility Requirements:** In order to be qualified for Special Deputation, an applicant must:
    - a. Be a United States citizen;
    - b. Be employed by a federal, state, local, or tribal law enforcement agency, or an agency approved by the Department of Justice (DOJ);

- c. Have successfully completed a basic law enforcement training program. If deputation is requested to participate in a protection detail, proof of protective detail training is also required;
- d. Possess at least 1 year of law enforcement experience with an agency that has general arrest authority;
- e. Have no domestic violence convictions as defined in 18 USC 922(g)(9) (the Lautenberg Amendment);
- f. Have successfully qualified with an authorized firearm on the USMS or employing agency's approved course of fire within 6 months of application date;
- g. Complete Form USM-3A, *Application for Special Deputation/Sponsoring Federal Agency Information*; Form USM-3C, *Application for Group Deputation*; or Form USM-3D, *Agreement Between United States Marshals Service and Physicians/Medical Support Volunteers*. Incomplete applications will not be processed;
- h. Have certified that they have reviewed and agreed to comply with the deadly force policy of their employing agency or the DOJ;
- i. If applicant is a federal employee, applicant must be classified in a law enforcement job series. If an applicant is not employed in a law enforcement job series but has sufficient justification to be deputized, the application and a recommendation from SDB will be submitted to the Office of the Deputy Attorney General (ODAG) for final approval;
- j. Applicants may generally not hold more than one Special Deputation at a time. However, if a scenario arises where it is justifiable for an applicant to be deputized to work under more than one task force/mission, a request for waiver of this limitation can be sent to SDB for review;
- k. Provide written authorization from their employer that they concur with their employee's participation on a task force or mission. This authorization letter must be no older than 2 months of SDB receipt of the application; and
- l. Applicants should not be under internal investigation by their employer. If an applicant is under internal investigation, a written explanation regarding the circumstances of the investigation and what caused it should be sent to SDB for review along with the application.

## 6. Special Deputation Employment Categories:

- a. **Federal, State, Local, and Tribal Law Enforcement Employees:** These applicants are employed by agencies that have Full-Time Statutory Law Enforcement Authority with general arrest authority. This category also includes Civilian Security Officers employed on military reservations to enforce federal law.
- b. **Security Guards and Personal Protection Employees:** These applicants are employed by the United States Government or private agencies that provide security for a specific place or building; or personal protection for dignitary, government official, or other designated person. They do not have general arrest authority. Applicants must have general law enforcement experience of at least 1 year.
- c. **USMS Employees and Contract Employees:** These are full-time USMS employees, contract Court Security Officers (CSO), and Detention Security Officers. CSOs are deputized by a district United States Marshal (USM) according to Judicial Security Division's (JSD) procedures pursuant to JSD's contracts regarding security officers.

- d. **Physicians:** These are applicants who are typically employed by hospitals, clinics, etc., but can also have law enforcement authority and work in an emergency medical response capacity in support of task force and/or agency operations as needed and on an uncompensated basis. Applicants applying as physicians must meet special eligibility requirements to include completion of Form USM-3A and Form USM-3D. (NOTE: Existing Medical support that currently hold Special Deputations, which predate this policy, will retain their Special Deputations). Further requirements include:
- 1) Maintaining a board certification in Emergency Medicine (American Board of Emergency Medicine).
  - 2) Maintaining a current/active license to practice medicine, without restriction, in the state of operation.
  - 3) Maintaining an active clinical practice in a hospital emergency department, ideally in a university medical center or trauma center.
  - 4) Maintaining a professional practice background without ethics violations, credentialing suspensions or terminations, revocation of privileges (subject to verification through hospital credentialing offices, state licensing boards, National Practitioner's Data Bank and others).
  - 5) Providing an annual disclosure memorandum to USMS by physician of any proprietary or ownership interests in medical product, device, technology, or services companies, as well as paid teaching/speaking engagements.
  - 6) Ensuring that their employing agency concurs with their Special Deputation by providing an employer authorization letter to the District/Regional Fugitive Task Force (RFTF). The Letter of support from physician's employer (or medical institution) indicating support for special deputation and patient care activities in the out-of-hospital setting, specifically the law enforcement tactical environment.
  - 7) Signing Form USM-3D.
  - 8) Demonstrating firearms proficiency, if an applicant is not a law enforcement officer with general arrest authority, by providing proof that an approved firearms training course has been completed. If the deputation expires and a renewal is requested, an updated Form USM-3A and Form USM-3D is required. No USMS-owned weapons shall be issued.
  - 9) Carrying the firearm in a concealed manner to the largest extent possible. The firearm will not be handled or displayed in public unnecessarily.
  - 10) Submitting notarized statement to the District/RFTF in which he/she will swear/affirm that he/she is not prohibited from possessing a firearm under state or federal law. This statement must also acknowledge his/her awareness of 18 U.S.C. 1001, describing the prohibition against false statements to federal law enforcement.
  - 11) Completing Form USM-394, *Personal Identity Verification (PIV) / Building Access Card Request Form*, with identifying information and authorization for the USMS to conduct a suitability review. A determination of unsuitability will render an existing or future Special Deputation null and void.

- 12) Demonstrating proficiency with their personally-owned firearm approved by their USMS sponsoring entity at a minimum every 6 months utilizing a USMS Handgun Course of Fire. The personally-owned firearm approved by the USMS sponsoring entity is the only firearm he/she is approved to carry while performing duties for the USMS.
- 13) Completing a jointly-approved firearms safety program and demonstrating sound judgment to the satisfaction of the Chief or Commander of the District/RFTF, or providing evidence of the completion of a firearms safety program to be signed off and approved by the above.
- 14) Possessing an approved personally-owned firearm while performing operational medical support of USMS law enforcement operations. Operational medical support requires a degree of on-call responsibility and he/she must be available to respond to District/RFTF operations within a reasonable period of time.
- 15) Once deputized, the physician will be issued U.S. Government credentials bearing their photograph and signature. This document is accountable property and must be maintained in their possession at all times that he/she is performing services with the District/RFTF. Misuse of the credentials or Special Deputation for personal purpose will result in their revocation.
- 16) To be eligible for the Special Deputation, the physician must agree to surrender his/her credentials and Special Deputation documents upon the termination of their services with the District/RFTF, or at any time upon the request of the District/RFTF.
- 17) The District/RFTF will prepare a written justification detailing the operational need for the physician to carry a personally-owned firearm for this purpose. Submission of written justification will take place yearly in advance of a renewal of Special Deputation status or at any time as desired by the Chief or Commander of the District/RFTF or his/her designee.
- 18) Furthermore, the physician must understand the following:
  - a) Their Special Deputation does not provide him/her any law enforcement authority on behalf of the USMS or the U.S. Government. If any law enforcement officer requests that he/she perform a law enforcement function, he/she must state that he/she possesses no law enforcement authority and their deputation is only for personal protection.
  - b) He/she must only draw their firearm during the rarest of circumstances when he/she is forced to defend himself/herself from a threat of bodily injury or death while responding to USMS operations.
  - c) When not utilized for official purposes, firearms are to be stored in a secure container with appropriate safety devices in place.
  - d) Physicians do not participate on entry teams or enter residences/structures unless medical attention is necessary, and it has been determined that it is safe to do so.
  - e) When on-site for an enforcement operation, the physician's role will be to facilitate and provide medical care and advice.

- f) While participating in USMS operations and providing medical support, he/she will not be under the influence of any substance known to affect a person's decision-making ability.
  - g) Whether he/she is covered under the Federal Tort Claims Act (FTCA) and workers compensation laws (OWCP) will be determined on a case-by-case basis by the DOJ (for FTCA purposes) and the Department of Labor (for OWCP purposes).
  - h) He/she is not eligible for any federal employee benefits.
  - i) He/she will use their own liability insurance and medical coverage (minimum of \$1 million per occurrence) that specifically covers patient care activities in the "out-of-hospital" setting, specifically within the law enforcement tactical environment for events incident to providing medical support to USMS operations.
  - j) Each time the Special Deputation is renewed, the terms of this agreement will continue to apply.
  - k) The Special Deputation is not valid while off duty.
  - l) Physicians will be instructed on and will comply with all USMS Use of Force guidelines and policies.
- e. **Office of the Director Sponsored Requests:** This applies to officials who may receive Special Deputation due to sponsorship from the Office of the Director. These requests must be coordinated through the Office of the Director and are granted for 2 years.
- f. **United States Military Personnel:** *The Posse Comitatus Act* precludes most military personnel from being deputized. Members of the United States Army, United States Air Force, United States Navy, United States Marine Corps, and their respective reserve components, cannot be deputized. However, United States Coast Guard and National Guard service members are exempt from this restriction.
6. **Exceptions:** Only the Deputy Attorney General (DAG); Director; Deputy Director; Associate Director for Operations; Associate Director for Administration; and Assistant Director (AD) or the Deputy Assistant Director (DAD), TOD, of the USMS can approve exceptions to this directive.
7. **Special Consideration Requests that require ODAG approval:**
- a. **Physical Security Specialist (GS-0080):** This category includes a Federal Security Administrator as identified in United States Office of Personnel Management, *Handbook of Occupational Groups and Families, Position Classification Standards*, who has also completed the Federal Law Enforcement Training Center (FLETC) Criminal Investigative Training Program, Basic Protective Investigative Training Program, or FLETC-approved equivalent, if seeking to provide protection to authorized officials or property.
  - b. **International Criminal Investigative Training Assistance Program (ICITAP):** Only applications received from the Director, ICITAP, will be processed. Applications must include a request letter stating the requirement for Special Deputation, badge, and credentials. Once the Special Deputation Unit has processed the application, the TOD Office of Security Programs (OSP), Document and Identity Security Office will be notified by email containing the request letter and approved application. Upon receipt of the approved application, TOD OSP will coordinate the issue of Special Deputy badge and credentials through the Director, ICITAP. The process is the same for renewals.

- c. **United States Attorneys and Assistant United States Attorneys (AUSA):** Only applications received through a representative from the ODAG will be processed. If the applicant United States Attorney or AUSA requires a firearm qualification, the local USMS district office may provide the qualification upon proof that the firearms training requirement has been met. An updated firearms qualification is required if an extension to the deputation is needed. For more information, see section F.5.c. The following websites list approved firearms training courses:
- 1) National Rifle Association; and/or
  - 2) National Shooting Sports Foundation.

**E. Responsibilities:**

1. **ODAG:** Approves several categories of initial requests for Special Deputation except those for USMS personnel, contract employees or law enforcement officers specifically supporting USMS missions (i.e., fugitive task force).
2. **Authorized Official:** Administers the Oath of Office to applicants approved by SDB. The authorized official completes Form USM-3B and obtains the necessary signatures.
3. **AD, TOD:** Oversees the SDP with the assistance of the DAD.
4. **Chief, OSP, TOD:** Oversees the SDP and conducts periodic audits of the program.
5. **Chief, SDB:** Supervises and administers the SDP. Approves/disapproves all Special Deputation requests supporting USMS and other federal law enforcement missions based upon the needs of the USMS and other federal agencies that can demonstrate a requirement to enforce federal law and carry a concealed weapon under Title 18 authority.
6. **SDB:** Processes all requests for Special Deputation under the direction of the Assistant Chief, SDB.

**F. Procedures:**

1. **Procedures for USMS Sponsored Special Deputy United States Marshals:**
  - a. Task Force Officer's (TFO) with an executed agency Memorandum of Understanding (MOU) should be deputized. Each TFO applicant seeking deputation must follow the deputation procedures below. Quick reference can be found on the USMS Intranet under the TFO SDB Process Chart.
  - b. Special Deputy state and local officers assigned to a USMS District Fugitive Task Force or a RFTF who require full-time unescorted access to USMS space or systems are required to undergo a background investigation or have had a favorably adjudicated background investigation within the past 5 years to comply with *Homeland Security Presidential Directive-12*. Please refer to the procedures section of USMS Policy Directive 17.6.2, *Personal Identity Verification*, for instructions on requesting background investigations.
  - c. Officers assigned to a task force on a part-time basis or for a period of less than 1 year may be granted escorted access to USMS space in accordance with existing visitor procedures. It is the responsibility of the USM, Chief Deputy United States Marshal, RFTF Commander, or Warrant Supervisor to ensure that all Special Deputy United States Marshals without a successfully completed background investigation are escorted at all times while in USMS space. Special Deputies who do not have a successfully completed background investigation are not authorized access to USMS systems.

- d. **Badge and Credentials:** At the discretion of the AD, TOD, or designee, Special Deputy United States Marshals serving on USMS task forces with an executed MOU may be issued unique credentials and/or badges. Except where otherwise noted, the USMS may only issue credentials or badges to deputized USMS employees, TFOs, and contractors. Specific procedures are included in USMS Policy Directive 17.8, *Badges and Credentials*. A badge and credential will only be issued for applicants who:
- 1) Have a successfully-completed background investigation by the TOD Background Investigations Branch;
  - 2) A Form USM-3A approved by SDB;
  - 3) Committed to a 1-year minimum term as a member of a task force or are sponsored by the Office of the Director;
  - 4) Submits Form USM-287, *Request for Badge/Credential Action*, to the TOD Badge and Credential Program;
  - 5) Full-time TFOs with an executed MOU assigned to a USMS District Fugitive Task Force or RFTF may receive USMS Task Force Credentials; and
  - 6) Special Deputation for TFOs is valid for 3 years from the date of approval. If a Special Deputation is needed for a longer period of time, a request for renewal must be submitted 60 days prior to expiration. Special Deputations cannot be backdated.
  - 7) Upon termination, removal, cancellation, or separation from a task force, the District and Task Force Commander are responsible for completing Form USM-199, *Separation Checklist*, and retrieving Form USM-3B, from the TFO. The collected articles and a copy of Form USM-199 must be sent via FedEx to:

**United States Marshals Service Landover Operations Center**

**Tactical Operations Division, Office of Security Programs  
3601 Pennsy Drive**

**Landover, Maryland 20785 Attn: Technical Security Office**

- 8) All other individuals sponsored by the USMS for Special Deputation should upon expiration, return their badge and credentials to:

**United States Marshals Service Landover Operations Center**

**Tactical Operations Division, Office of Security Programs 3601  
Pennsy Drive**

**Landover, Maryland 20785 Attn: Technical Security Office**

**2. Procedures for Other Sponsoring Agencies:**

- a. **Sponsoring Agency:** The Chief Administrator of the sponsoring agency has the following responsibilities:
- 1) Submits the initial and renewal requests for Special Deputation by providing supporting documentation and a completed Form USM-3A for each applicant;
  - 2) Verifies that the applicant meets all qualification requirements;
  - 3) Provides the applicant with a copy of the Deadly Force policy from the

sponsoring agency or the DOJ; and

- 4) Notifies SDB immediately if a Special Deputy is charged with a criminal offense, abuse of Special Deputation authority, or misuse of a firearm. In addition, when a Special Deputy is no longer employed or assigned, or no longer requires Special Deputation, the Chief Administrator will:
  - a) Notify SDB of the individual(s) termination;
  - b) If applicable, return the badge and credentials via FedEx to TOD OSP's Technical Security Office; and
  - c) Email Form USM-3B to the SDB.

**3. Procedures for International Association of Chief of Police (IACP) applicants:**

- a. IACP Presidents are sponsored by the USM in the district where the applicant is employed and are sworn in for 2-year appointments by the USMS Director during the annual IACP conference. The following are requirements for deputation of the IACP President:
  - 1) A completed Form USM-3A, Form USM-287, and Operational Signature Sheet (available upon request from the district Administrative Officer or the Badge and Credential Program, TOD);
  - 2) Photo (business attire required); and
  - 3) An employer authorization letter.
- b. **Sponsoring District Responsibilities:**
  - 1) Once the IACP President is deputized, the sponsoring district is responsible for placing credentials on the district property log.
  - 2) The district is responsible for advising the IACP President of the authorizations and limitations of Special Deputation and the Unique Federal Agency Number for Federal law enforcement officers flying armed.
  - 3) No Special Deputation extensions or renewals will be granted.
  - 4) Upon expiration of the 2-year Special Deputation term, the district is responsible for collecting the IACP President's credentials, completing Form USM-199, and returning the credentials via FedEx to TOD OSP's Technical Security Office.

**4. Application Process:**

- a. **Individual Application:** Each applicant seeking Special Deputation must complete a Form USM-3A.
- b. **Supporting Documentation:**
  - 1) Each applicant must submit an approval letter from their respective law enforcement agency that indicates the applicant's employer supports the Special Deputation. The employer authorization letter must be signed and dated within 2 months of the application submission and on departmental letterhead. The letter must also state that the applicant is not involved in any internal investigation or disciplinary action.
  - 2) Any other information requested by the SDB (i.e., Firearm Qualification, Certification of Completed Firearm's Course of Instruction, Certification of Protective Investigation Training, Executive Office for the United

States Attorneys (EOUSA) Affidavit, Approval Memorandum from EOUSA AD, Approval Letter from the ODAG, Endorsement Letter from AUSA, Approval Letter from the Special Operations Group Commander, Approval Letter from the AD, TOD).

- c. **Expiration Date:** The expiration date for Special Deputation is specified on Form USM-3B, and on the credentials. Special Deputations can be authorized for 1, 2, or 3 years depending on the category of the deputation. The list below indicates the time period for various deputations.

- 1) **1-year Authorizations:**
  - a) Organized Crime Drug Enforcement Task Force; and
  - b) Physicians and existing medical personnel.
- 2) **2-year Authorizations:**
  - a) International Association of Chief of Police (IACP) President; and
  - b) AUSA.
- 3) **3-year Authorizations:**
  - a) Security Guards and personal protection employees;
  - b) Office of the Inspector General (OIG) Special Agents;
  - c) USMS special employees.
  - d) Federal Task Forces;
  - e) USMS Task Forces; and
  - f) United States Attorney Task Force.

To avoid disruption of Special Deputation status, renewal requests should be submitted within 60 days of the expiration date. Special Deputations cannot be backdated. Each time a Special Deputation is authorized the applicant must renew their Oath of Office.

- d. **Submission:** The sponsoring agency must submit Form USM-3A and supporting documentation to the SDB.

## 5. **Approval Process:**

- a. Chief of SDB, TOD, or designee, must approve all deputations for USMS employees, contract employees, and law enforcement officers, specifically those supporting the USMS mission.
- b. **Other Sponsoring Agencies:** Requests for Special Deputation to support non-USMS missions require the approval of the ODAG. The steps of the approval process are:
  - 1) SDB reviews the agency's request and applications for Special Deputation. Incomplete applications are returned;
  - 2) The Chief, OSP, submits a recommendation to the ODAG; and
  - 3) The ODAG directs the USMS to approve or disapprove the request.
- c. **United States Attorneys and AUSAs:** Applicants may request Special Deputation only for the purpose of carrying a firearm for personal protection. Applications are initially submitted to the EOUSA, and not SDB. When requested

by the EOUSA, the USMS will verify that each applicant has met firearm qualification standards with an approved weapon. After verification, the EOUSA sends the application to the ODAG for approval. Once a decision has been made, the application is sent to the USMS for processing.

- 1) Each applicant must complete a minimum of 16 hours of firearms training to include Basic Marksmanship and Defensive Pistol training and provide proof of successful completion of this requirement. The following websites list approved firearms training courses:
    - a) National Rifle Association; and/or
    - b) National Shooting Sports Foundation.
  - 2) USMS district offices should not make any recommendations regarding the application or provide a threat assessment. JSD provides a threat history to the EOUSA, if requested.
  - 3) The USMS, as a courtesy, may qualify the AUSA on their approved course of fire. The minimum qualification score is 210.
- d. **ODAG:** The DAG, in accordance with a December 1999 memorandum signed by Associate Deputy Attorney General Nicholas M. Gess, has complete authority for several categories of deputations. The categories reserved for the DAG's approval are as follows:
- 1) **Category 2:** Where the deputation is sought for the purpose of providing protective services, (i.e., an OIG Special Agent who is a member of the protective detail of the Cabinet official).
  - 2) **Category 3:** Where the deputation is sought for a law enforcement officer by a United States Attorney. In which case, the application should be submitted with the approval of the EOUSA.
  - 3) **Category 4:** Where the deputation is sought for the purpose of providing extraterritorial law enforcement authority. In which case, the application should be submitted with the approval of the affected agencies and components.
  - 4) **Category 5:** Where the deputation is sought for a federal employee who does not have other federal law enforcement authority, such as an AUSA or an OIG Special Agent.
  - 5) **Category 6:** Where the deputation is sought for the purpose of reviewing tax information under Title 26, in which case the application should be submitted with the concurrence of the Tax Division.
  - 6) **Category 7:** Where the Director of the USMS determines that the request is sufficiently controversial or subject to sufficient policy concerns that it should be reviewed by a higher authority.
6. **Group Deputations:** In cases where a large group of applicants require Special Deputation, such as special operations or high-profile events, it is possible to deputize using Form USM-3C. In some circumstances, group deputations may take place using an abbreviated administrative process. The request letter and individual applications are waived and the applicants are listed on a consolidated log that includes their name; the last four of their social security number; date of birth; firearms qualification date; firearms make, model and caliber; and applicant's signature. After submitting the log, the agency certifies, by signature, that the applicant has met the requirements.
- a. **Emergency Support Function-13 (ESF #13):** ESF #13 activations occur pursuant to presidential disaster declarations under 42 USC 5121, the

*Robert T. Stafford Disaster Relief and Emergency Assistance Act.* Per the MOU between the USMS and the Bureau of Alcohol, Tobacco, Firearms and Explosives, SDB will process Special Deputation requests for partner agencies that possess a valid Mission Assignment number and are deploying to a disaster area. These requests will be processed on an expedited basis and do not require that an employer's authorization letter be included with the application at that time. However, the employer's letter will be accepted 5 business days after submission of the applicant log and must include the following items:

- 1) Agency endorsement of USMS Special Deputation;
- 2) Wording that applicants are not involved in any internal investigations or facing disciplinary action; and
- 3) Verification that the applicants possess no Lautenberg Amendment violations.

**7. Special Deputation Appointment/Oath of Office:**

- a. **USM-3B:** SDB issues Form USM-3B to the District/RFTF where the swearing-in will occur prior to appointment. Form USM-3B has a dual purpose – it serves as the authorization for USMS District/RFTF to issue the deputation and it serves as the appointment document that identifies that an individual is a Special Deputy.
- b. **Oath of Office:** After Form USM-3B is administered by an authorized official, a copy of Form USM-3B must be returned to the SDB for final processing. The district must deputize the applicant within 45 days of receiving the Form USM-3B. Anyone not deputized within 45 days of receiving Form USM-3B must reapply.
- c. **Authorized Officials:** Any operational employee with the rank of GS-14, Supervisory Deputy United States Marshal, or above is authorized to administer the Oath of Office. This responsibility may be delegated only in the absence of the aforementioned officials.
- d. **Termination/Cancellation:** If an applicant will not be deputized or if a current Special Deputation is no longer required, a copy of Form USM-3B is returned to the SDB with the words "canceled" or "terminated" on it.
- e. **Records:** The District/RFTF is responsible for delivering the appointee their deputation appointment. The original Form USM-3B is provided to the appointee. The sponsoring agency/District/RFTF keeps a copy and another copy is emailed to SDB. All copies of Special Deputation records must be kept for no less than 5 years from the date of expiration of the most recent deputation.

**G. Definitions:**

1. **Authorized Official:** A person authorized to administer the Oath of Office.
2. **Special Deputation:** Approved by DOJ and conferred by the USMS, it grants an individual authority to perform federal law enforcement functions to support USMS missions or to achieve law enforcement objectives.

**H. References:**

1. 18 U.S.C. 922, [Unlawful Acts](#).
2. 18 U.S.C. 1385, [Posse Comitatus Act](#).
3. 28 U.S.C. 509, [Functions of the Attorney General](#).
4. 28 U.S.C. 510, [Delegation of Authority](#).
5. 28 U.S.C. 561, [United States Marshals Service](#).

6. 28 U.S.C. 566, [Powers and Duties](#).
7. 42 U.S.C. 5121, [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#).
8. 28 C.F.R. 0.111, [General Functions](#).
9. 28 C.F.R. 0.112, [Special Deputation](#).
10. 28 C.F.R. 0.113, [Redelegation of Authority](#).
11. Title 18, [Crimes and Criminal Procedure](#).
12. Title 21, [Food and Drugs](#).
13. Title 26, [Internal Revenue Code](#).
14. [National Rifle Association](#).
15. [National Shooting Sports Foundation](#).
16. Homeland Security Presidential Directive-12, [Policy for a Common Identification Standard for Federal Employees and Contractors](#).
17. USMS Policy Directive 17.6.2, [Personal Identity Verification](#).
18. USMS Policy Directive 17.8, [Badges and Credentials](#).
19. Form [USM-3A](#), [Application for Special Deputation/Sponsoring Federal Agency Information](#).
20. Form USM-3B, [Special Deputation Oath of Office, Authorization, and Appointment](#).
21. Form [USM-3C](#), [Application for Group Special Deputation](#).
22. Form [USM-3D](#), [Agreement Between United States Marshals Service and Physicians/Medical Support Volunteers](#).
23. Form [USM-199](#), [Separation Checklist](#).
24. Form [USM-287](#), [Request for Badge & Credential Action](#).
25. Form [USM-394](#), [Personal Identity Verification \(PIV\) / Building Access Card Request Form](#).
26. USMS Use of Force Policy and Guidelines.

**I. Cancellation Clause:** This policy directive supersedes Policy Directive 17.11, *Special Deputation Program*, dated September 6, 2017, and will remain in effect until superseded, updated, or canceled.

**J. Authorization and Date of Approval:**

**By Order of:**

**Effective Date:**

/s/  
Donald W. Washington  
Director  
U.S. Marshals Service

10/07/2020